



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,222	10/01/2004	Patrick Kleiner	2002P00893WOUS	6249
29177 7590 05/29/2008 BELL, BOYD & LLOYD, LLP P.O. BOX 1135 CHICAGO, IL 60690			EXAMINER CLARK, MAXWELL A	
			ART UNIT	PAPER NUMBER
			2616	
			MAIL DATE	DELIVERY MODE
			05/29/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/510,222	Applicant(s) KLEINER, PATRICK	
	Examiner MAXWELL A. CLARK	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/01/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/01/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 24 and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 24, the phrase "so-called" renders the claim vague because it is not clear what "so-called firewall proxy functionality" encompasses. The metes and bounds of the claim are unclear.

Regarding claim 26, the phrase "when necessary" renders the claim indefinite because it is unclear what the phrase "when necessary, blocking performance features" embodies, which renders the claim unclear as to whether the "blocking performance features" following the phrase "when necessary" are part of the claimed invention.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

Art Unit: 2616

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
5. Claims 14-16 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donovan et al (USPN 6,879,680 B2) in view of Surdila et al. (USPN 2002/01101104 A1).

Regarding Claim 14, Donovan discloses a network element for processing signaling data and for controlling a connection of a voice communication link between at least two communication devices assigned to different packet-switched communication networks or different domains within a communication network (abstract, wherein the enterprise gateway connected to the IP network and to a switch of the PSTN through a direct access line (DAL), i.e. different domains, to set-up signaling for virtual private network calls and the calls themselves are transported across the internet protocol network and the public switched telephone network corresponds to a network element for processing signaling data and for controlling a connection of a voice communication link between at least two communication devices assigned to different packet-switched communication networks or different domains within a communication network), a signaling transmission unit for converting the signaling data format of signaling data originating from a first domain into a data format suitable for forwarding the signaling data to a second domain (col. 3, lines 14-18, wherein the signaling gateway, i.e. signaling transmission unit, provides bi-directional protocol translation, i.e. converting the signaling data, from a telephony signaling protocol, such as SS7, ISDN, or channel

associated signaling (CAS), depending upon the signaling protocol used by PBX 51, to an Internet telephony signaling protocol, such as session initiation protocol (SIP) or H.323) corresponds to a signaling transmission unit for converting the signaling data format of signaling data originating from a first domain into a data format suitable for forwarding the signaling data to a second domain), a media transmission unit for converting the media data format of payload data originating from the first domain and associated with the voice communication link into a data format suitable for forwarding the payload data to the second domain (col. 3, lines 21-24, wherein the media gateway, i.e. media transmission unit, provides bi-directional protocol translation between traditional telephony time division multiplexed voice circuits to an IP transport protocol such as real-time transport protocol corresponds to a media transmission unit for converting the media data format of payload data originating from the first domain and associated with the voice communication link into a data format suitable for forwarding the payload data to the second domain). Donovan discloses the signaling gateway receiving signaling information from the media gateway (col. 3, lines 27-29) but does not expressly disclose the signaling transmission unit comprising further communication mechanisms for controlling the media transmission unit using the signaling data. However, Surdila discloses a signaling transmission unit comprising further communication mechanisms for controlling a media transmission unit using signaling data (¶0029, wherein the hybrid MGCF, i.e. signaling transmission unit, also includes a switching control function, i.e. communication mechanism, which utilizes control signaling such as H.248 to control the MGW, i.e. media transmission unit, which

corresponds to a signaling transmission unit comprising further communication mechanisms for controlling a media transmission unit using signaling data) for the purpose of instructing the media gateway to send the payload data (see in particular ¶0030). It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the teachings of Donovan a signaling transmission unit comprising further communication mechanisms for controlling a media transmission unit using signaling data, as in Surdila, for the purpose of instructing the media gateway to send the payload data.

Regarding claim 15, Surdila discloses the signaling transmission unit controlling the media transmission unit according to a master/slave relationship (¶0029, wherein the hybrid MGCF, i.e. signaling transmission unit, includes a Switching Control Function that utilizes control signaling such as H.248 to control the MGW, i.e. media transmission unit, which corresponds to the signaling transmission unit controlling the media transmission unit according to a master/slave relationship).

Regarding claim 16, Surdila discloses the master/slave relationship comprises determination of the status, and/or capacity utilization, and/or functionality of the respective media transmission unit (¶0030, wherein the MGCF instructs the MGW to send the payload corresponds to a master/slave relationship comprising functionality of the respective media transmission unit).

Regarding claim 29, Donovan discloses a transmission unit comprises one of the signaling transmission units and one of the media transmission units provided on a common hardware platform (see in particular fig. 3, wherein illustrated is the enterprise

gateway, i.e. transmission unit, comprising one of the signaling gateway, i.e. signaling transmission unit, and one of the media gateway, i.e. media transmission unit, provided on a common hardware platform).

Regarding claim 30, Surdila discloses a transmission unit comprises one of the signaling transmission units and one of the media transmission units provided on separate hardware platforms (see in particular fig. 3, wherein illustrated is the MGCF, i.e. transmission unit, comprising one of the signaling mechanism, i.e. signaling transmission unit, and one of the MGW, i.e. media transmission unit, provided on separate hardware platforms).

6. Claims 17,18, 19 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donovan et al (USPN 6,879,680 B2) in view of Surdila et al. (USPN 2002/01101104 A1) in view of D'Souza (US 2003/0058839 A1).

Regarding claim 17, Donovan and Surdila disclose signaling transmission units comprising a communication mechanism for signaling from a first domain for forwarding the signaling data to a second domain (Donovan: col. 3, lines 12-18, wherein the signaling gateway providing bi-directional protocol translation from a telephony signaling protocol, such as SS7, ISDN, or channel associated signaling (CAS) to an Internet telephony signaling protocol, such as session initiation protocol (SIP) or H.323 corresponds to signaling transmission units comprising a communication mechanism for signaling from a first domain for forwarding the signaling data to a second domain; Surdila: ¶0028, wherein the CS-specific RAN signaling mechanism passes CS-specific RAN events reported in the signaling to a converter 56 that converts the CS-specific

RAN events to SIP events, and vice versa when converting in the opposite direction corresponds to signaling transmission units comprising a communication mechanism for signaling from a first domain for forwarding the signaling data to a second domain).

Donovan and Surdila do not expressly disclose converting a network address format of signaling data originating from a first domain into a network address format suitable for forwarding the signaling data to a second domain. D'Souza discloses signaling transmission units comprising a communication mechanism for signaling from a first domain for forwarding the signaling data to a second domain (¶0017, wherein the network address translation performing network address translation (NAT) function that provides a translation of the address from an internal network, i.e. first domain, to an external network, i.e. second domain corresponds to converting a network address format of signaling data originating from a first domain into a network address format suitable for forwarding the signaling data to a second domain) for the purpose of providing network address for exposure outside the internal network. It would have been obvious to one of ordinary skill in the art at the time of the application to include NAT in Donovan and Surdila, as in D'Souza, for the purpose of exposing network addresses to outside networks or domains in which they are in communication.

Regarding claim 18, Donovan and Surdila disclose signaling transmission units comprising a communication mechanism for signaling from a first domain for forwarding the signaling data to a second domain (Donovan: col. 3, lines 12-18, wherein the signaling gateway providing bi-directional protocol translation from a telephony signaling protocol, such as SS7, ISDN, or channel associated signaling (CAS) to an Internet

Art Unit: 2616

telephony signaling protocol, such as session initiation protocol (SIP) or H.323 corresponds to signaling transmission units comprising a communication mechanism for signaling from a first domain for forwarding the signaling data to a second domain; Surdila: ¶0028, wherein the CS-specific RAN signaling mechanism passes CS-specific RAN events reported in the signaling to a converter 56 that converts the CS-specific RAN events to SIP events, and vice versa when converting in the opposite direction corresponds to signaling transmission units comprising a communication mechanism for signaling from a first domain for forwarding the signaling data to a second domain).

Donovan and Surdila do not expressly disclose converting a network address format of signaling data originating from a first domain into a network address format suitable for forwarding the signaling data to a second domain. D'Souza discloses signaling transmission units comprising a communication mechanism for signaling from a first domain for forwarding the signaling data to a second domain (¶0017, wherein the network address translation performing network address translation (NAT) function that provides a translation of the address from an internal network, i.e. first domain, to an external network, i.e. second domain corresponds to converting a network address format of signaling data originating from a first domain into a network address format suitable for forwarding the signaling data to a second domain) for the purpose of providing network address for exposure outside the internal network. It would have been obvious to one of ordinary skill in the art at the time of the application to include NAT in Donovan and Surdila, as in D'Souza, for the purpose of exposing network addresses to outside networks or domains in which they are in communication.

Regarding claim 19, Donovan and Surdila disclose signaling transmission units comprising a communication mechanism for signaling from a first domain for forwarding the signaling data to a second domain (Donovan: col. 3, lines 12-18, wherein the signaling gateway providing bi-directional protocol translation from a telephony signaling protocol, such as SS7, ISDN, or channel associated signaling (CAS) to an Internet telephony signaling protocol, such as session initiation protocol (SIP) or H.323 corresponds to signaling transmission units comprising a communication mechanism for signaling from a first domain for forwarding the signaling data to a second domain; Surdila: ¶0028, wherein the CS-specific RAN signaling mechanism passes CS-specific RAN events reported in the signaling to a converter 56 that converts the CS-specific RAN events to SIP events, and vice versa when converting in the opposite direction corresponds to signaling transmission units comprising a communication mechanism for signaling from a first domain for forwarding the signaling data to a second domain).

Donovan and Surdila do not expressly disclose converting a network address format of signaling data originating from a first domain into a network address format suitable for forwarding the signaling data to a second domain. D'Souza discloses signaling transmission units comprising a communication mechanism for signaling from a first domain for forwarding the signaling data to a second domain (¶0017, wherein the network address translation performing network address translation (NAT) function that provides a translation of the address from an internal network, i.e. first domain, to an external network, i.e. second domain corresponds to converting a network address format of signaling data originating from a first domain into a network address format

Art Unit: 2616

suitable for forwarding the signaling data to a second domain) for the purpose of providing network address for exposure outside the internal network. It would have been obvious to one of ordinary skill in the art at the time of the application to include NAT in Donovan and Surdila, as in D'Souza, for the purpose of exposing network addresses to outside networks or domains in which they are in communication.

Regarding claim 24, D'Souza discloses firewall proxy functionality for enabling the payload data associated with the voice connection to pass a data firewall (¶0017, wherein the firewall functions include packet filter, circuit gateway, application gateway or trusted gateway, a host that controls traffic at the application level, allowing access control based on a more detailed and protocol-dependent examination of the traffic wherein the process that examines and forwards packet traffic is known as a proxy corresponds to firewall proxy functionality for enabling the payload data associated with the voice connection to pass a data firewall).

7. Claims 20, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donovan et al (USPN 6,879,680 B2) in view of Surdila et al. (USPN 2002/01101104 A1) in view of Aravamudhan et al (USPN 6,563,919 B1).

Regarding claim 20, Donovan and Surdila disclose signaling transmission units comprising a communication mechanism for terminating signaling data originating from a first domain (Donovan: col. 3, lines 12-18, wherein the signaling gateway providing bi-directional protocol translation from a telephony signaling protocol, such as SS7, ISDN, or channel associated signaling (CAS) to an Internet telephony signaling protocol, such as session initiation protocol (SIP) or H.323 corresponds to a signaling transmission unit

Art Unit: 2616

comprising a communication mechanism for terminating signaling data originating from a first domain; Surdila: ¶0028, wherein the CS-specific RAN signaling mechanism passes CS-specific RAN events reported in the signaling to a converter 56 that converts the CS-specific RAN events to SIP events, and vice versa when converting in the opposite direction corresponds to signaling transmission unit comprising a communication mechanism for terminating signaling data originating from a first domain). Donovan and Surdila do not expressly disclose terminating signaling data originating from a first domain that relate to performance features that are valid in the first domain. Aravamudhan discloses signaling data originating from a first domain that relate to performance features that are valid in the first domain (col. 11, lines 1-32, wherein the transient subscriber data corresponds to data originating from a first domain destined for a second domain and the services, i.e. Quality of Service Profile (such as GPRS, MIP, 1xRTT MIP), Origination services (such as local, national, toll, etc.), Termination services (such as forwarding services, conferencing, data delivery, call/data screening), Roaming services (such as location based services and restrictions, etc.) correspond to signaling data originating from a first domain that relate to performance features that are valid in the first domain) for the purpose of providing common termination services. It would have been obvious to one of ordinary skill in the art at the time of the application to include the termination services disclosed by Aravamudhan in Donovan and Surdila to provide termination services such as forwarding services, conferencing, data delivery, call/data screening etc.

Regarding claim 21, Donovan and Surdila disclose signaling transmission units comprising a communication mechanism for terminating signaling data originating from a first domain (Donovan: col. 3, lines 12-18, wherein the signaling gateway providing bi-directional protocol translation from a telephony signaling protocol, such as SS7, ISDN, or channel associated signaling (CAS) to an Internet telephony signaling protocol, such as session initiation protocol (SIP) or H.323 corresponds to a signaling transmission unit comprising a communication mechanism for terminating signaling data originating from a first domain; Surdila: ¶0028, wherein the CS-specific RAN signaling mechanism passes CS-specific RAN events reported in the signaling to a converter 56 that converts the CS-specific RAN events to SIP events, and vice versa when converting in the opposite direction corresponds to signaling transmission unit comprising a communication mechanism for terminating signaling data originating from a first domain). Donovan and Surdila do not expressly disclose terminating signaling data originating from a first domain that relate to performance features that are valid in the first domain. Aravamudhan discloses signaling data originating from a first domain that relate to performance features that are valid in the first domain (col. 11, lines 1-32, wherein the transient subscriber data corresponds to data originating from a first domain destined for a second domain and the services, i.e. Quality of Service Profile (such as GPRS, MIP, 1xRTT MIP), Origination services (such as local, national, toll, etc.), Termination services (such as forwarding services, conferencing, data delivery, call/data screening), Roaming services (such as location based services and restrictions, etc.) correspond to signaling data originating from a first domain that relate to performance

Art Unit: 2616

features that are valid in the first domain) for the purpose of providing common termination services. It would have been obvious to one of ordinary skill in the art at the time of the application to include the termination services disclosed by Aravamudhan in Donovan and Surdila to provide termination services such as forwarding services, conferencing, data delivery, call/data screening etc.

Regarding claim 22, Donovan and Surdila disclose signaling transmission units comprising a communication mechanism for terminating signaling data originating from a first domain (Donovan: col. 3, lines 12-18, wherein the signaling gateway providing bi-directional protocol translation from a telephony signaling protocol, such as SS7, ISDN, or channel associated signaling (CAS) to an Internet telephony signaling protocol, such as session initiation protocol (SIP) or H.323 corresponds to a signaling transmission unit comprising a communication mechanism for terminating signaling data originating from a first domain; Surdila: ¶0028, wherein the CS-specific RAN signaling mechanism passes CS-specific RAN events reported in the signaling to a converter 56 that converts the CS-specific RAN events to SIP events, and vice versa when converting in the opposite direction corresponds to signaling transmission unit comprising a communication mechanism for terminating signaling data originating from a first domain). Donovan and Surdila do not expressly disclose terminating signaling data originating from a first domain that relate to performance features that are valid in the first domain. Aravamudhan discloses signaling data originating from a first domain that relate to performance features that are valid in the first domain (col. 11, lines 1-32, wherein the transient subscriber data corresponds to data originating from a first domain

Art Unit: 2616

destined for a second domain and the services, i.e. Quality of Service Profile (such as GPRS, MIP, 1xRTT MIP), Origination services (such as local, national, toll, etc.), Termination services (such as forwarding services, conferencing, data delivery, call/data screening), Roaming services (such as location based services and restrictions, etc.) correspond to signaling data originating from a first domain that relate to performance features that are valid in the first domain) for the purpose of providing common termination services. It would have been obvious to one of ordinary skill in the art at the time of the application to include the termination services disclosed by Aravamudhan in Donovan and Surdila to provide termination services such as forwarding services, conferencing, data delivery, call/data screening etc.

8. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Donovan et al (USPN 6,879,680 B2) in view of Surdila et al. (USPN 2002/01101104 A1) in view of D'Souza (US 2003/0058839 A1) in view of Aravamudhan et al (USPN 6,563,919 B1).

Regarding claim 23, Donovan, Surdila and D'Souza disclose signaling transmission units comprising a communication mechanism for terminating signaling data originating from a first domain (Donovan: col. 3, lines 12-18, wherein the signaling gateway providing bi-directional protocol translation from a telephony signaling protocol, such as SS7, ISDN, or channel associated signaling (CAS) to an Internet telephony signaling protocol, such as session initiation protocol (SIP) or H.323 corresponds to a signaling transmission unit comprising a communication mechanism for terminating signaling data originating from a first domain; Surdila: ¶0028, wherein the CS-specific

Art Unit: 2616

RAN signaling mechanism passes CS-specific RAN events reported in the signaling to a converter 56 that converts the CS-specific RAN events to SIP events, and vice versa when converting in the opposite direction corresponds to signaling transmission unit comprising a communication mechanism for terminating signaling data originating from a first domain; D'Souza: ¶0010 where in the VoIP application segments the voice signals traffic into frames and stores them in voice packets. The voice packets are transported via the network using any conventional multimedia (i.e., voice, video, fax, and data) protocol. The protocols include H.323, IPDC, Media Gateway Control Protocol (MGCP), Session Initiation Protocol (SIP), Megaco, Session Description Protocol (SDP) correspond to signaling transmission units comprising a communication mechanism for terminating signaling data originating from a first domain). However Donovan, Surdila and D'Souza do not expressly disclose terminating signaling data originating from a first domain that relate to performance features that are valid in the first domain.

Aravamudhan discloses signaling data originating from a first domain that relate to performance features that are valid in the first domain (col. 11, lines 1-32, wherein the transient subscriber data corresponds to data originating from a first domain destined for a second domain and the services, i.e. Quality of Service Profile (such as GPRS, MIP, 1xRTT MIP), Origination services (such as local, national, toll, etc.), Termination services (such as forwarding services, conferencing, data delivery, call/data screening), Roaming services (such as location based services and restrictions, etc.) correspond to signaling data originating from a first domain that relate to performance features that are valid in the first domain) for the purpose of providing common termination services. It

would have been obvious to one of ordinary skill in the art at the time of the application to include the termination services disclosed by Aravamudhan in Donovan, Surdila and D'Souza to provide termination services such as forwarding services, conferencing, data delivery, call/data screening etc.

9. Claims 25, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donovan et al (USPN 6,879,680 B2) in view of Surdila et al. (USPN 2002/01101104 A1) in view of Li et al. (USPN 6,591,301 B1).

Regarding claim 25, Donovan and Surdila disclose the elements of claim 14. Donovan and Surdila do not expressly disclose a communication mechanism for controlling the volume of traffic and for preventing overload. Li discloses a communication mechanism for controlling the volume of traffic and for preventing overload (col. 4, lines 17-19, wherein regulating incoming message traffic in manner structured to favor calls in progress over newly originating calls corresponds to a communication mechanism for controlling the volume of traffic and for preventing overload; col. 14, lines 18-34, wherein the overload control is for H.323, i.e. signaling transmission unit, and Media Gateway control, i.e. media transmission unit) for the purpose reducing the prospect of failure. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Li in Donovan and Surdila for the purpose of regulating incoming message traffic to prevent overload conditions.

Regarding claim 26, Li discloses a communication mechanism for converting and monitoring and when necessary blocking performance features (Table 2, wherein the

gatekeeper, i.e. communication mechanism, can reject a call from a terminal based on the Q.931 specification for reasons including restricted access to/from particular terminals or gateways, restricted access during certain periods of time corresponds to a communication mechanism for converting and monitoring and when necessary blocking performance features).

Regarding claim 28, Donovan and Surdila disclose the elements of claim 14. Donovan and Surdila do not expressly disclose a communication mechanism for controlling the volume of traffic and for preventing overload. Li discloses a communication mechanism for controlling the volume of traffic and for preventing overload (col. 4, lines 17-19, wherein regulating incoming message traffic in manner structured to favor calls in progress over newly originating calls corresponds to a communication mechanism for controlling the volume of traffic and for preventing overload; col. 14, lines 18-34, wherein the overload control is for H.323, i.e. signaling transmission unit, and Media Gateway control, i.e. media transmission unit) for the purpose reducing the prospect of failure. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Li in Donovan and Surdila for the purpose of regulating incoming message traffic to prevent overload conditions.

10. Claim 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donovan et al (USPN 6,879,680 B2) in view of Surdila et al. (USPN 2002/01101104 A1) in view of McLampy et al. (US 2003/0016664 A1).

Regarding claim 27, Donovan and Surdila disclose the elements of claim 14.

Donovan and Surdila do not expressly disclose a communication mechanism for converting priority identifiers of signaling data originating from a first domain into priority identifiers suitable for forwarding the signaling data to a second domain.

MeLampy discloses a communication mechanism for converting priority identifiers of signaling data originating from a first domain into priority identifiers suitable for forwarding the signaling data to a second domain (¶0038, wherein once a forwarding decision is made, i.e. forward into a second domain, the traffic manager queues the received packet into its respective IP flow and associated priority which corresponds to a communication mechanism for converting priority identifiers of signaling data originating from a first domain into priority identifiers suitable for forwarding the signaling data to a second domain) for the purpose managing packets according to priority. It would have been obvious to one of ordinary skill in the art at the time of the application to include the teachings of MeLampy in Donovan and Surdila for the purpose of prioritizing packets.

11. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Donovan et al (USPN 6,879,680 B2).

Regarding claim 31, Donovan discloses processing signaling data and for controlling a connection of a voice communication link between at least two communication devices assigned to different packet-switched communication networks or different domains within a communication network (abstract, wherein the enterprise gateway connected to the IP network and to a switch of the PSTN through a direct

Art Unit: 2616

access line (DAL), i.e. different domains, to set-up signaling for virtual private network calls and the calls themselves are transported across the internet protocol network and the public switched telephone network corresponds to processing signaling data and for controlling a connection of a voice communication link between at least two communication devices assigned to different packet-switched communication networks or different domains within a communication network), converting a data format of signaling data originating from a first domain into a data format suitable for forwarding the signaling data to a second domain (col. 3, lines 14-18, wherein the signaling gateway, i.e. signaling transmission unit, provides bi-directional protocol translation, i.e. converting the signaling data, from a telephony signaling protocol, such as SS7, ISDN, or channel associated signaling (CAS), depending upon the signaling protocol used by PBX 51, to an Internet telephony signaling protocol, such as session initiation protocol (SIP) or H.323) corresponds to converting a data format of signaling data originating from a first domain into a data format suitable for forwarding the signaling data to a second domain), converting the data format of payload data originating from a first domain and associated with the voice communication link into a data format suitable for forwarding the payload data to a second domain (col. 3, lines 21-24, wherein the media gateway, i.e. media transmission unit, provides bi-directional protocol translation between traditional telephony time division multiplexed voice circuits to an IP transport protocol such as real-time transport protocol corresponds to converting the data format of payload data originating from a first domain and associated with the voice communication link into a data format suitable for forwarding the payload data to a

Art Unit: 2616

second domain), forwarding the converted signaling data and payload data to the second domain (col. 3, lines 30-31, wherein SIP, i.e. signaling data, and RTP, i.e. payload data, packets are transported across IP network to an egress enterprise gateway corresponds to forwarding the converted signaling data and payload data to the second domain). Donovan discloses the signaling gateway receiving signaling information from the media gateway for channel associated signaling (col. 3, lines 27-29). Donovan does not expressly disclose converting the data format of the signaling data and converting the data format of the payload data are synchronized by a control system using the signaling data. Examiner takes official notice that it was well known to one of ordinary skill at the time of the application that for channel associated signaling to work appropriately the signaling and payload data must be synchronized in which Donovan discloses a means to do so through the signaling information between the signaling and media gateways.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Barany, Peter A. et al. (US 20020034166 A1); Donovan; Steven R. et al. (US 6453034 B1); Nodoushani; Paiman et al. (US 6563816 B1); Foti; George (US 6963583 B1); Elliott; Isaac K. et al. (US 6614781 B1); Bradd, Patrick et al. (US 20030118002 A1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MAXWELL A. CLARK whose telephone number is (571)

Art Unit: 2616

270-1956. The examiner can normally be reached on Monday to Thursday 7:30A.M. to 5P.M. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 19, 2008

/Maxwell A. Clark/
Examiner, Art Unit 2616

/Huy D. Vu/
Supervisory Patent Examiner, Art Unit 2616